



**COUNTY OF COLUSA**  
**DEPARTMENT OF AGRICULTURE**  
**GROUNDWATER COMMISSION**  
*100 Sunrise Boulevard Suite F*  
*Colusa, CA 95932*

**MARY FAHEY**  
Water Resources Coordinator

Matt LaGrande | Lorraine Marsh, Chair | Jeff Moresco | Bruce Rolen, Vice Chair | Darrin Williams

**SPECIAL MEETING NOTICE OF THE COLUSA COUNTY GROUNDWATER COMMISSION**

**Location:** **Colusa Farm Bureau Board Room**  
520 Market Street, Colusa, CA 95932

**Date:** **January 20, 2016**

**Time:** **1:00 – 3:00 p.m.**

**Meeting Minutes**

1. **CALL TO ORDER** (\*action item) Meeting was called to order at 1:10pm by chair Lorraine Marsh
  - a. **Pledge of Allegiance**
  - b. **Introductions**
  - c. **Roll Call**

Members Present: Lorraine Marsh, Matt LaGrande, Darrin Williams, Jeff Moresco, Bruce Rolen

Members Absent: None

Others present: Scott West, Farmer; Angela West Phillips, Farmer; Chuck Bergson, City of Williams; Joe Marsh, Farmer; Jesse Cain, city of Colusa; Roger Moore, Farmer; Arielle Harns, Downey Brand; Suzie Dawley, CCEH; Michael Mitchell, City of Williams; Craig Bradford, Farmer; Tom Charter, T&P Farms; Tom Charter, Jr., T&P Farms; Bill Wallace, Farmer; Glenn Cherry; Kim Gallagher, D&K Orchards; Shandon Griffin, Farmer; Mel Haynes; Christy Scofield, Gilbert Ramos; Lisa Hunter, Glenn County; Tim Kelleher; Terry Bressler, RD 1004
  - d. **\*Acceptance of Agenda**

Motion to accept Agenda as presented: Matt Lagrande  
2<sup>nd</sup>: Darrin Williams  
Action: Approved 5-0
  - e. **Period of Public Comment:** Commission Chair Marsh opened the floor to public comment before proceeding with Agenda Item 2a:
    - I. Scott West, landowner: had test holes dug during the summer to put in two wells, he made the investment and went through the permit process. The permit expired and there weren't enough drill rigs in the valley at the time. When he tried to renew the permits, he was denied. The landowner went on to mention the Davids' Engineering groundwater assessment study done of various areas in the county but there was no mention of the RD 108 area where he farms. The landowner believes that groundwater conditions in District 108 are great. He would like to proceed with the permit to drill being that the investment



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has already been made. Mr. West also made mention that different areas of the county have different conditions.

- II. Tom Charter Sr., T&P Farms: Had one test hole request denied from Environmental Health and is in the process of appealing the denial. Also tried to renew permits that were previously approved. He was denied after the process and investment were made. The denial doesn't seem fair.
- III. Mr. Kelleher, Attorney for Scott and Starr West: Mr. Kelleher gave each member of the Commission a packet of information detailing why he believes it is illegal for Colusa County to deny a permit. He went on to summarize the information in the packet.
- IV. Glenn Cherry, landowner in Stonyford: Does not believe Stonyford should be combined in with the Colusa County aquifer. They are separate.
- V. Chuck Bergson, City of Williams: Mentioned that he is pursuing funding for new wells in the City.
- VI. Jim Wallace landowner from the Grimes/Arbuckle area: Mr. Wallace uses a mix of surface and well water on their farm. He encouraged the Commission to recommend keeping the moratorium in place. He went on to say that the presentation from Grant Davids showed that the Colusa Basin aquifer shows continued declines. Those issues have not changed over the last six months. Experts do not know how the aquifer will recover. We need to stay the course and try to develop a plan that is sustainable for the long term. The current Urgency Ordinance uses a broad brush. Mr. Wallace recommends amending the Ordinance to alleviate frustration.
- VII. Terry Bressler, RD 1004: Mr. Bressler notes that the conditions in the West Butte subbasin were not taken into consideration.
- VIII. Arielle Harris, Downey Brand: Mentions that there is good information available from DWR. The data does not support the health and safety threat in the entire area of the current moratorium. She suggests extending the moratorium for one more month and coming back with a more tailored approach.
- IX. Tom Charter: Suggests that exceptions be made for permits that were previously approved but expired.
- X. Question from audience member: Can a landowner transfer a permit to another parcel?  
Answer: No

2. **DISCUSSION/ACTION ITEMS** (\*action item)

- a. **\*Discussion and Recommendation to Board of Supervisors regarding Urgency Ordinance No. 774 (amending Ordinance No. 771) restricting well permits in the County of Colusa**

Commissioner Marsh invites discussion from the Commissioners.



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- I. Commissioner Williams begins the discussion and notes that he has put a lot of thought into this issue. His farming operation in the Arbuckle area is 100% dependent on groundwater. He recognizes that conditions in that area are not good and that the moratorium was a good idea, but he has a problem with denial of property rights. Does not believe that the number of wells is the issue, overuse is the problem. Surface water is the solution. Commissioner Williams recommends lifting the moratorium.
- II. Commissioner Rolan speaks next and mentions that the moratorium was not a Groundwater Commission decision. He believes it uses too much of a broad brush and also infringes on property rights. He recognizes from the Davids Engineering study that there is an issue that must be addressed. He is in favor of sending a recommendation to Board of Supervisors to rescind the moratorium and have county staff continue to move forward with SGMA implementation, and that private pumpers in the Area of Interest get engaged with SGMA planning.
- III. Commissioner LaGrande mentions that he is a private pumper in areas of the County with both good and bad groundwater conditions. He has concerns with the moratorium infringing on property rights. Rather than continuing the moratorium, he recommends looking further into strengthening the permit process and also ensuring that water is not being transferred out of the basin and/or County.
- IV. Commissioner Moresco has concerns that if the moratorium is lifted, there will be a flood of new well permits. He also mentioned that stressed groundwater conditions still exist. He recommends relaxing the moratorium until there are 100% allocations from TC which will take a lot of pressure off of well drilling.
- V. Commissioner Marsh: She is a private pumper in the Arbuckle area, and also farms in the GCID and CCWD service areas. She has seen groundwater levels decline over the years but has concerns as to where to “draw the line” if the moratorium is only continued in the Area of Interest. It seems this would separate the haves and have-nots. She recognizes we have a significant problem with groundwater conditions in areas of the county. She recommends the permit process be reevaluated and moratorium to be lifted gradually to avoid a flood of new permits.

After more discussion, a motion is made by Commissioner Williams to send a recommendation to the Board of Supervisors to allow the moratorium to expire on Jan. 31<sup>st</sup>, 2016.

2<sup>nd</sup>: Matt LaGrande

Discussion is held to recommend to the County that they look into the permit process.

Action: Commissioner Rolan called for a vote to adopt the motion.

Ayes: all



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Action: Approved 5-0

More discussion is held and it is agreed to include an agenda item for the next meeting to review the current County Well Ordinance and provide suggestions for improvement. Ms. Fahey mentions that she has worked with council on this and has developed a redline version. She will share this with the Commission at their next meeting.

**b. \*Discussion and recommendation on forming a Private Pumper Advisory Committee to participate in planning and implementation of SGMA**

Commissioner Marsh opened the discussion up to the public:

- I. Ms. Fahey gave background information on SGMA. She explained that private pumpers are presumed to be represented by the County. The BOS has asked that the Commission develop a Private Pumper Advisory Committee (PPAC) to represent the white areas of the County. We have a current Groundwater Commission as well as a Water Users Group and it is recommended that these members have first consideration to serve on the PPAC. At the January 11, 2016 Public SGMA meeting, the BOS asked for names of interested parties. Ms. Fahey presented this list to the Commission.

The Commission requested an agenda item for next meeting to discuss the future of the GWC and WUG.

Discussion continued on potential members of the Private Pumper Advisory Committee and the following list was brought forth:

- *Darrin Williams, Arbuckle*
- *Jeff Moresco, RD 1004 area*
- *Lorraine Marsh, Grimes*
- *Kim Gallagher, Grimes, SW River, Knights Landing*
- *Dough McGoeaghan, Maxwell/Colusa*
- *Derrick Strain, Arbuckle*
- *Bob Harper or Jim Peterson, Williams*

*Alternate members:*

- *Matt LaGrande*
- *Ben Carter*

Motion by Commissioner Rolan: to accept the nominations and submit names to the BOS to use those people as the private pumper committee.

2<sup>nd</sup>: Darrin Williams

Action: Approved 5-0



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Ms. Fahey will contact the members to confirm their interest

**3. ADJOURNMENT**

Meeting adjourned at 3:30pm

Next Regular meeting date: **March 10, 2016**